	Application No.	**Applicant(s)**	
Notice of Allowability	09/823,877	WOLINSKY, SCOTT	
	Examiner	**Art Unit**	
	Scott E. Jones	3713	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to *the amendment filed 2/7/05.*

2. ☒ The allowed claim(s) is/are *2-6,11-15,20-24,29-33,61-64,66 and 67.*

3. ☒ The drawings filed on *26 December 2003* are accepted by the Examiner.

4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a) ☐ All   b) ☐ Some*   c) ☐ None   of the:

         1. ☐ Certified copies of the priority documents have been received.

         2. ☐ Certified copies of the priority documents have been received in Application No. _____ .

         3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

     * Certified copies not received: _____ .

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.

6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.

     (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached

         1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____ .

     (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of

         Paper No./Mail Date _____ .

     Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).

7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)

2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)

3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____

4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application (PTO-152)

6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____ .

7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance

9. ☐ Other _____ .

EXAMINER'S AMENDMENT

1.   An examiner's amendment to the record appears below. Should the changes and/or

additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR

1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the

payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with

Anatoly S. Weiser on August 22, 2005.

The application has been amended as follows:

In claim 2, line 10, insert --communication-- between "second" and "terminals".

In claim 2, line 20, insert --communication-- between "said" and "terminals".

In claim 2, line 21, insert --communication-- between "first" and "terminal".

In claim 2, line 21, insert --communication-- between "second" and "terminal".

In claim 2, line 25, insert --communication-- between "said" and "terminals".

In claim 2, line 27, insert --move-- between "said" and "instruction".

In claim 2, line 28, insert --communication-- between "said" and "terminals".

In claim 2, line 29, insert --move-- before "instruction".

In claim 4, line 1, insert --move-- after "said".

In claim 5, line 2, insert --communication-- before "terminals".

In claim 5, line 3, insert --communication-- between "said" and "terminals".

In claim 11, line 10, insert --communication-- between "second" and "terminals".

In claim 11, line 13, insert --communication-- between "said" and "terminals".

In claim 11, line 14, insert --communication-- between "first" and "terminal".

In claim 11, line 14, insert --communication-- between "second" and "terminal".

In claim 11, line 15, insert --communication-- between "said" and "terminals".

In claim 11, line 16, insert --communication-- between "said" and "terminals".

In claim 11, line 16, insert --communication-- between "second" and "terminal".

In claim 11, line 22, insert --communication-- between "said" and "terminals".

In claim 11, line 24, insert --move-- between "said" and "instruction".

In claim 11, line 25, insert --communication-- between "said" and "terminals".

In claim 11, line 26, insert --move-- before "instruction".

In claim 13, line 1, insert --move-- between "said" and "instruction".

In claim 14, line 2, insert --communication-- before "terminals".

In claim 14, line 3, insert --communication-- between "said" and "terminals".

In claim 20, line 9, insert --communication-- between "second" and "terminals".

In claim 20, line 12, insert --communication-- between "said" and "terminals".

In claim 20, line 13, insert --communication-- between "first" and "terminal".

In claim 20, line 13, insert --communication-- between "second" and "terminal".

In claim 20, line 14, insert --communication-- between "said" and "terminals".

In claim 20, line 14, insert --communication-- between "first" and "terminal".

In claim 20, line 15, insert --communication-- between "said" and "terminals".

In claim 20, line 16, insert --communication-- between "first" and "terminal".

In claim 20, line 22, insert --communication-- between "said" and "terminals".

In claim 20, line 24, insert --move-- between "said" and "instruction".

In claim 20, line 25, insert --communication-- between "said" and "terminals".

In claim 20, line 26, insert --move-- before "instruction".

In claim 22, line 1, insert --move-- before "instruction".

In claim 23, line 2, insert --communication-- between "said" and "terminals".

In claim 29, line 10, insert --communication-- between "second" and "terminals".

In claim 29, line 13, insert --communication-- between "said" and "terminals".

In claim 29, line 14, insert --communication-- between "first" and "terminal".

In claim 29, line 14, insert --communication-- between "second" and "terminal".

In claim 29, line 15, insert --communication-- between "said" and "terminals".

In claim 29, line 15, insert --communication-- between "second" and "terminal".

In claim 29, line 22, insert --communication-- between "said" and "terminals".

In claim 29, line 24, insert --move-- before "instruction".

In claim 29, line 25, insert --communication-- between "said" and "terminals".

In claim 29, line 26, insert --move-- before "instruction".

In claim 31, line 1, insert --move-- before "instruction".

In claim 32, line 2, insert --communication-- between "said" and "terminals".

In claim 61, line 13, insert --communication-- between "second" and "terminals".

In claim 61, line 36, insert --communication-- between "first" and "terminal".

In claim 61, line 36, insert --communication-- between "second" and "terminal".

In claim 61, line 42, insert --communication-- between "said" and "terminals".

In claim 61, line 44, insert --move-- before "instruction".

In claim 61, line 46, insert --move-- before "instruction".

In claim 63, line 13, insert --communication-- between "second" and "terminals".

In claim 66, line 15, insert --communication-- between "first" and "terminal".

In claim 66, line 16, insert --communication-- between "second" and "terminal".

The following is an examiner's statement of reasons for allowance:

The closest prior art, Perlman, discloses an apparatus and method for linking multiple remote players of real-time games over a traditional telephone line. Perlman accomplishes this goal by having prospective players dial into a server which determines, based on a telephone number and information provided by a player, which players to connect to each other to play the game. Once this match is determined, both players are disconnected from the server, and one of the player's computers automatically dials the other player's phone number and establishes a direct connection via a traditional telephone line to play the game.

Perlman describes a player's phone number as an "address" or "network address" in a data network. However, due to privacy concerns, a player's phone number is not "explicitly" shown to the opposing player. Rather, a screen name or handle, and identification code is sent and displayed by both computers. However, displaying a screen name or handle in lieu of both player's phone numbers clearly teaches away from the instant invention (Figures 3, 4, and 8, Column 10, lines 18-35, and Column 11, lines 20-49).

Hsu discloses a system and method for displaying an image in association with a caller ID identifier on the display of a telephone receiver having a processor, a memory storage device to store images that may have the caller ID identifier included, and user input device. When a caller places an incoming call, an image is displayed, such as an image of a person's face associated with caller ID identifier (which includes a telephone number), on the telephone receiver display, allowing the person receiving the call to identify the caller in advance of

answering the call. The person receiving the call or conference call may also display each of the caller's images including telephone numbers, as well as, their own image including telephone number (Abstract, Figures 1-4, Column 1, line 66-Column 2, line 41, Column 3, line 1-Column 4, line 16,Column 5, line 22-Column 6, line 43, and Claims 1 and 8). Additionally, the telephone system may be operated in a similar manner when connected to a game system (Figure 5 and Column 5, lines 1-12). However, although Hsu may be operated in a similar manner when connected to a game system, Hsu lacks disclosing or fairly suggesting playing in the game mode on the communications system as claimed in the instant invention.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Terminal Disclaimer

2.   The terminal disclaimer filed on February 7, 2005 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of U.S. 6,682,427 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott E. Jones whose telephone number is (571) 272-4438. The examiner can normally be reached on Monday - Friday, 8:30 A.M. - 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Scott E. Jones
Primary Examiner
Art Unit 3713

sej